

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LAW. CIV. 10/10/05

JANICE STEVENSON,)	
)	
)	
)	
Plaintiff,)	
)	
)	
v.)	CIVIL ACTION NO. 05-CV-11584-DPW
)	
)	
NEIGHBORHOOD HOUSE CHARTER)	
SCHOOL,)	
)	
)	
Defendant.)	
)	

**MOTION TO WITHDRAW
PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE
WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT**

Plaintiff Janice Stevenson ("Plaintiff" or "Stevenson") hereby moves the Court to withdraw her Motion for Order to Show Cause why Defendant Neighborhood House Charter School ("Defendant," "NHCS" or the "School") should not be held in contempt of court.

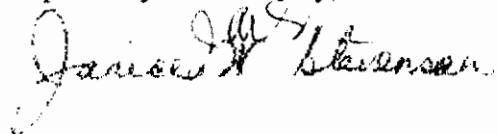
As grounds for this motion, Plaintiff states as follows:

Although newly submitted facts, which was known to the Defendant, compel the legal conclusion that the Neighborhood House Charter School ("Employer", "School" or "Defendant") is the Employer and that the Plaintiff is their employee for purposes of the FLSA. Plaintiff is requesting the withdrawal of the aforementioned motion. Plaintiff will resubmit the appropriate motion at a later date.

WHEREFORE, Plaintiff, Janice Stevenson, requests that this Court withdraw her Motion For Order To Show Cause Why Defendant Should Not Be Held In Contempt.

Date: January 10, 2007

Respectfully submitted by,

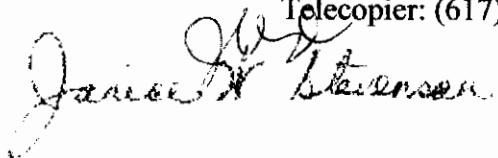


Janice Wilson Stevenson
P.O. Box 400372
Cambridge, MA 02140
617-721-2638 - ph
866-838-4286 - fax

CERTIFICATE OF SERVICE

I hereby certify that this document was served on NEIGHBORHOOD HOUSE CHARTER SCHOOL to:

Lynn A. Kappelman (BBO # 642017)
Barry J. Miller (BBO # 661596)
SEYFARTH SHAW LLP
World Trade Center East
Two Seaport Lane, Suite 300
Boston, MA 02210-2028
Telephone: (617) 946-4800
Telecopier: (617) 946-4801



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SCHOOL,)
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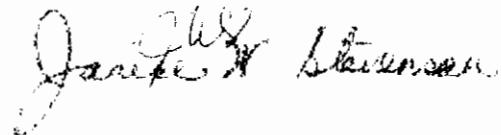
AFFIDAVIT OF ECONOMIC DEPENDENCY

I, Janice Stevenson, under oath, depose and say as follows based on personal knowledge:

1. I worked as the Finance & Operations Manager at Neighborhood House Charter School.
2. While employed by the Neighborhood House Charter School from May 2004 through June 2005, I was dependent on Neighborhood House Charter School for my day-to-day economic and physical survival.
3. From approximately January 2001 to April 2005, I have lived in shelters because I was unemployed or homeless.
4. I have lived in over nine (9) shelters from Texas to Massachusetts since 2001
5. I became eligible for subsidized rent under the Massachusetts Rental Voucher Program on July 01, 2004.
6. On June 2003, my income consisted of \$190.48 child support and unemployment payments see attached Schedule I, filed in the Massachusetts District Bankruptcy Court.

7. I did not have steady employment until I started working at Neighborhood House Charter School in May 2004.
8. I lived in shelters in Massachusetts from April 2003 to April 2005.
9. I worked at the School from May 2004 to June 2005
10. For twenty-four (24) months I lived in shelters in Massachusetts, eleven (11) of those months were worked at the School.
11. The wages I received from the School enabled me to leave the shelters.

Signed under penalties of perjury this 20th day of December, 2006.



Janice Stevenson

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

2010-01-10 09:51

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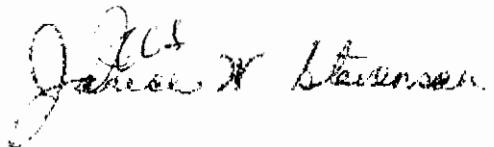
AFFIDAVIT OF JANICE STEVENSON

I, Janice Stevenson, under oath, depose and say as follows based on personal knowledge:

1. In a previous proceeding in the US District Court, I attempted to hand deliver a copy of motion(s) to Mr. Miller. Mr. Miller has stated to me he obtained his copies of the FLSA case before this Honorable Court from the District Court's website.
2. I have served copies of legal documents in this case most exclusively by email to Defendant's attorney, Mr. Barry Miller.
3. Mr. Miller made no mention of lateness, incomplete submissions, or more time to prepare in regards to these previous submissions to me or this Honorable Court until now: when facts compel the legal conclusion that the Neighborhood House Charter School ("Employer", "School" or "Defendant") is the Employer and that the Plaintiff is their employee for purposes of the FLSA.
4. The Defendant has not been able to convince any state or federal administrative agency that Plaintiff was an independent contractor during her employment at Neighborhood House Charter School from August 2004 through June 2005.

5. I was not aware Mr. Miller was not in receipt of all attachments until receipt of this motion to extend time.

Signed under penalties of perjury this 10th day of January, 2007.

A handwritten signature in black ink, appearing to read "Janice W Stevenson".

Janice Stevenson